

REMARKS

Applicants respectfully submit that the Examiner's Answer, including the response to arguments, is a copy of the final rejection, which fails to rebut our response in the Appeal Brief, fails to address each of the elements of claim 1, and fails to present any new arguments.

For example, on page 17 of the Answer, in the Response to argument portion of the Answer, the Examiner writes that "Feuche combined into Smiley clearly teach an automated process of creating a set of database tables using the definitions as claimed in the applicant's invention." The Examiner then cites the final Office action as evidence to support this legal conclusion. Applicants respectfully submit that the final Office action is not prior art as defined by 35 U.S.C. 102, and that therefore claim 1 is patentable over the final Office action.

The Examiner then expresses, on pages 18 and 19 of the Answer, multiple legal conclusions about the obviousness of claim 1 based on Smiley in view of Feuche. The Examiner again fails to address each element of claim 1. Instead, the Examiner addresses features that are not recited in claim 1.

Claim 1 recites:

A method of creating a system for creating a well-formed database system using a computer, the method comprising:

the computer accessing a definition of the system, the definition defining a schema for use by the system, the schema defining a set of tables, a set of columns that correspond to the set of tables, and a set of relationships between the tables of the set of tables, the definition further defining a set of operations for manipulating the data, the set of operations defining programs that operate on the set of tables and the set of table columns; and

the computer using the definition to generate the set of tables.

The Examiner's legal conclusions about the obvious combination of Smiley and Feuche are now addressed.

The Examiner writes that "It is obvious that the link's DB2 utilities are run from a computer because it is used as an interface to create DB2 tables from definitions created in Excelerator." Applicants respectfully submit that claim 1 does not recite "the link's DB2 utilities are run from a computer because it is used as an interface to create DB2 tables from definitions created in Excelerator."

The Examiner writes that "It is also obvious that when the link's DB2 utilities are run from a computer, the computer then accessing and using the logical definitions to generate the set of tables. Although it should be obvious to one having ordinary skill in the art at the time the invention was made to recognize that the logical definitions taught in Feuche would include the same types of logical definitions as claimed in the applicant's invention, the Feuche reference does not disclose the logical definitions in the level of detail as claimed in the applicant's invention." Applicants respectfully submit that the Examiner has no factual basis for concluding that "it should be obvious ... that the logical definitions taught in Feuche would include the same types of logical definitions as claimed in the applicant's invention...."

In fact, the Feuce article merely discloses an interface "to transform logical design data produced in Execlerator into physical design data -- specifically, into structured query language (SQL)...." (Feuche page 1). Therefore, Feuche does not disclose "the schema defining a set of tables, a set of columns that correspond to the set of tables, and a set of relationships between the tables of the set of tables," as recited in claim 1. Feuche further neither discloses nor suggests "the computer using the definition to generate the set of tables," the definition "defining a

schema for use by the system, the schema defining a set of tables, a set of columns that correspond to the set of tables, and a set of relationships between the tables of the set of tables, the definition further defining a set of operations for manipulating the data, the set of operations defining programs that operate on the set of tables and the set of table columns" as recited in claim 1.

The Examiner writes that the "Smiley reference, however, fully disclose those definitions, especially definitions that define a set of relationships between the tables (See for example: col. 3 lines 8-11, col. 3 lines 27-44, col. 4 lines 25-32) and programs that operate on the set of tables and the set of table columns (See for example: col. 6 line 66 - col. 7 line 3). In conclusion, the Smiley reference teaching the definition as recited in claim 1...." Applicants respectfully submit that the Examiner mischaracterizes claim 1. In fact, claim 1 recites "the definition defining a schema for use by the system, the schema defining a set of tables, a set of columns that correspond to the set of tables, and a set of relationships between the tables of the set of tables, the definition further defining a set of operations for manipulating the data, the set of operations defining programs that operate on the set of tables and the set of table column."

Applicants respectfully submit that Smiley, which discloses a method for a user to formulate relationships between data objects, does not disclose "the definition defining a schema for use by the system, the schema defining a set of tables, a set of columns that correspond to the set of tables, and a set of relationships between the tables of the set of tables, the definition further defining a set of operations for manipulating the data, the set of operations defining programs that operate on the set of tables and the set of table column" as recited in claim 1.

For example, Smiley at column 3 lines 8-11 discloses:

Alternatively, the attributes of OBJECT 12 may be configured as other OBJECTS, which are logically related to OBJECT 12 via a RELATIONSHIP entity 14.

Smiley at column 3 lines 27-33 discloses:

RELATIONSHIP entity 14 preferably contains attributes or fields which record the name of RELATIONSHIP entity 14 represented by characters, the names or identifiers, and types of OBJECTS 12 between which this relationship holds, a sequence number to ensure the uniqueness of RELATIONSHIP entity 14, and the name of a METHOD entity 16 which implements RELATIONSHIP 14.

Smiley at column 4 lines 25-32 discloses:

Another OBJECT 12 is ENTITY 21, which is a logical collection of ATTRIBUTES 20. ENTITY 21 CONTAINS 22 ATTRIBUTE 20. CONTAINS relationship 22 documents the one-to-many relationship that each ENTITY 21 has with the attributes it contains. This relationship along with the ATTRIBUTE name, serves to uniquely identify each ATTRIBUTE.

The final passage from Smiley cited by the Examiner on page 19 of the Answer is column 6 line 65 through column 7 line 3, which discloses:

The OBJECTS for an operational system's information repository preferably include ATTRIBUTES (not shown), which contain the data of interest to the enterprise. OPERATIONAL METHODS are the existing application programs that display or update the operational data.

Therefore, applicants submit that Smiley does not disclose "the schema defining a set of tables, a set of columns that correspond to the set of tables, and a set of relationships between the tables of the set of tables," as recited in claim 1. Applicants respectfully submit that Smiley further neither discloses nor suggests "the computer using the definition to generate the set of tables," the definition "defining a schema for use by the system, the schema defining a set of tables, a set of columns that correspond to the set of tables, and a set of relationships between the tables of the set of tables, the definition further defining a set of operations for manipulating the

data, the set of operations defining programs that operate on the set of tables and the set of table columns" as recited in claim 1.

Even if Smiley and Feuche were combined as suggested only by the Examiner, the combination would neither teach nor suggest "the schema defining a set of tables, a set of columns that correspond to the set of tables, and a set of relationships between the tables of the set of tables," as recited in claim 1. The combination would further neither teach nor suggest "the computer using the definition to generate the set of tables," the definition "defining a schema for use by the system, the schema defining a set of tables, a set of columns that correspond to the set of tables; and a set of relationships between the tables of the set of tables, the definition further defining a set of operations for manipulating the data, the set of operations defining programs that operate on the set of tables and the set of table columns" as recited in claim 1.

Therefore, applicants submit that claim 1 is patentable under 35 U.S.C. §103 based on Smiley in view of Feuche.

CONCLUSION

For the above reasons, Applicants respectfully submit that the rejection of claims 1-47 based on 35 U.S.C. § 103(a) has been overcome. Accordingly, Applicants request that the Board of Patent Appeals and Interferences overrule the Examiner and allow claims 1-47.

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Respectfully submitted,

By:


Fabio E. Marino
Registration No. 43,339

Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111
Telephone: (650) 849-4422
Telefax: (650) 849-4800